



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

November 3, 2004

In re Application of : Frengut, Renee
Serial No. : 09/883,590
Filed : June 18, 2001
For : INTERNET BASED QUALITATIVE
RESEARCH METHOD AND SYSTEM
Examiner : Boyce, Andre
Group Art Unit : 3623
Docket No. : 1017.8002

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GROUP 3600

CERTIFICATE OF MAILING

I hereby certify that this correspondence, and any attachments thereto, is being deposited with the United States Postal Service, as First Class mail, with sufficient postage, in an envelope addressed to: Mail Stop Fee Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

BETTY BERNAL
Name of Person Mailing
Paper

Betty Bernal
Signature

11/03/2004
Date

DECLARATION UNDER RULE 131(a)

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

Renee H. Frengut, the applicant in the above-identified patent application, declares as follows:

1. I am a Licensed Clinical Psychologist with more than twenty years of marketing experience.

2. Since 1984, I have been President of Psychological

Insights, Inc. a marketing research and consulting firm based in New York and Boca Raton, Florida, specializing in in-depth, motivational and perceptual qualitative research.

3. I am a member of and have been active in many industry organizations including the following: The American Marketing Association, The American Psychological Association, The Society for Consumer Psychology, and Qualitative Research Consultants Association.

4. In approximately April 1999, well before September 1, 2000, I came up with idea of performing market research over the Internet, with the various respondents not required to be in the same room with the moderator.

5. Prior to my invention, as claimed in my pending patent application, the respondents to a market research session would all travel to the same location and meet with a moderator. The moderator would ask the respondents various questions about the moderator's client's product, services, marketing strategy, etc. Often the client's stimulus would also be shown to the respondents by the moderator. The nature of this traditional research inherently has numerous limitations including requiring the respondents to be in the same location with the moderator, requiring the client to also be in the same location to view the research session while ongoing, typically through a two-way

mirror. This also creates disturbances to the research session when the client wants to pass a note to the moderator during the research session, as well as imposing limitations on the number of research sessions due to travel requirements and costs of travel, etc.

6. In April 1999 when I conceived of my claimed invention for conducting market research session through two-way audiovisual communications over the Internet, without any travel requirements on the respondents, moderator or client, it was my intention to eliminate all of the problems identified above with traditional market research.

7. After conceiving of my idea for a virtual video and audio qualitative internet research company I began research technology solutions for my idea through approximately May 1999.

8. On May 24, 1999, I went to Nashua, NH, to the offices of White Pine to be thoroughly educated on the capabilities of their software. At the meeting, I explained in detail what requirements I would needed from their software and also described my intended use of their software as part my Internet Market Research application.

9. After being assured that their software could be used for my requirements, in June 1999 I purchased the White Pine Software solution. Believing that the White Pine software could be used

for my intended purposes, I began internally creating sample pricing and contract agreements in June 1999 for my claimed invention. (See Exhibit A)

10. In August, 1999, along with a business partner, I attended a two-day training session on how to use the White Pine software correctly.

11. The training session was a fiasco, and ultimately White Pine refunded the fees I had paid for the two-day training session.

12. Though from the outset of my dealings with White Pine I was told that their software would meet my requirements, throughout the remainder of 1999 and until February of 2000, I continued to no avail to make efforts to make the White Pine software function properly for my intended use. For example, In October 1999 I purchased an annual maintenance support for the White Pine's software product I had previously purchased (See Composite Exhibit B).

13. On February 28, 2000, I was finally told by a systems engineer at White Pine that my conceived invention could not be done utilizing their software that I had purchased. (See Exhibit C - Letter dated from April 27, 2000 from my attorney Judith A. Ripps to White Pine Software detailing the above facts and evidencing the frustrations I experienced with trying to have the

White Pine software work for my claimed invention).

14. On May 26, 2000, White Pine offered me a refund of the over \$18,000 I had spent to purchase their software purchase. The refund was ultimately sent to me by White Pine.

15. After learning at the end of February 2000 that the White Pine software could not be used for my invention, I continued to search for software solution that would enable me to implement my concept.

16. Ultimately, I hired a tech consultant who was able to make the system work. I was also encouraged by White Pine that significant improvements to their software had been made to allow their software to be used to implement my invention.

17. Also in 2000, I began further developing my invention through the starting of eQualitativeResearch.com, the first truly virtual video and audio qualitative internet research company. Once my invention was ready for implantation, my company would have focus (research) groups meet on-line, with the participants all possibly being in different geographical locations. The real time interviews with a moderator take place in the only "virtual research facility" and clients can observe in real time from their own desktops.

18. All critical dates regarding conception and possession of the claimed invention and basic claimed inventive concepts

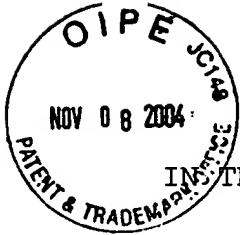
occurred prior to September 1, 2000. Furthermore, if not reduced to practice by September 1, 2000, significant steps had been taken such that actual reduction practice occurred thereafter.

19. I have been diligent at all times since my original conception of the claimed invention in approximately March/April 1999 up and to the time of filing my application on June 18, 2001.

The declarant further states that the above statements were made with the knowledge that willful false statements and the like are punishable by fine and/or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

Date: 11/2/09

Renee H. Fregnut
Renee H. Fregnut



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

November 4, 2004

In re Application of : Frengut, Renee
Serial No. : 09/883,590
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BETTY BERNAL
Name of Person Mailing
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Betty Bernal
Signature

11/04/2004
Date

NOTICE OF FILING EXHIBITS TO FRENGUT DECLARATION

Commissioner For Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby submits Exhibits A, B and C which were inadvertently left off Applicant's Declaration Under Rule 131(a), filed yesterday, November 3, 2004. As referenced in the Frengut Declaration, the Exhibits are as follows:

Exhibit A - Sample pricing and contract agreements.

Applicant: Renee H. Frengut
Serial No: 09/883,590
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Composite
Exhibit B Certificate of Maintenance documents.

Exhibit C Letter dated April 27, 2000 from attorney
 Judith A. Ripps.

Please attach these Exhibits to the previously submitted
Declaration Under Rule 131(a) of Renee Frengut.

Respectfully submitted,



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